

## **District III Advisory Board Minutes**

May 7, 2003

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**May 7, 2003  
7:00 p.m.**

**Colvin Neighborhood City Hall  
2820 S. Roosevelt**

The District III Advisory Board meeting was held at 7:00 p.m. at the Colvin Neighborhood City Hall at 2820 S. Roosevelt. In attendance was the District III City Council member and seven (7) District Advisory Board members. Eight (8) City staff were present and approximately (25) twenty-five members of the public of which signed in.

### **Members Present**

Matt Foley  
Phyllis Hall  
Charlotte Foster  
Judy Dillard  
John Kemp  
Jim Gulick  
Bill Ward

### **Members Absent**

Laura Simpson  
Phil Bloomquist  
Lois Ann Newman

### **Staff Present**

Vicki Mork  
Officer Jeff Andres  
Officer Virgil Miller  
Officer Parks  
Paul Gunzelman  
Mark Stanberry  
Jack Brown  
Rachelle Meyer

### **Guests**

Listed on page 7

## **ORDER OF BUSINESS**

### **Call to Order**

**Council Member Lambke** called the meeting to order at 7:00 pm.

### **Approval of Minutes**

Approval of minutes for April 2, 2003 were approved as read Foster (Gulick)

**Action: Received and filed.**

## **Public Agenda**

1. **Jerry Frantz, Acting Director Of Sedgwick County Health Department** presented information regarding the changing schedule of the Sedgwick County Health Station at Colvin. Office hours will be limited to Tuesday morning and afternoon and Thursday afternoon only at both Colvin and Stanley Health Station. The cuts are a result of reduced funding and lack of traffic at the sites. **Frantz** went on to say that in all likely hood Stanley, Colvin and the Southeast Health Station would consolidate into one location, probably the Wichita Mall sometime this fall but it is not a certainty at this time. The WIC programs will remain at their locations until consolidation occurs.

Once consolidation happens there are plans for expansion of services. All Health Departments will have extended office hours each day. Another area targeted for expansion is the use of the Health Department by John Q. Public, employed with health insurance. The Health Department has not done the best job of marketing and telling the story that many of their services are available to everyone. Another area of planned expansion involves implementation of a "co-op" pharmacy providing generic prescriptions for \$10.

2. **Paul Davis, 6417 Madison Ct., Plus Parts & Salvage 2865 S. Broadway** spoke in response to information he received from the Auto Theft Section of the Wichita Police Department regarding motor vehicle wrecking licensure. He handed a large packet of information including the proposed change in the law and a listing of the many auto recycling and salvage operators in the Wichita area, of which 5 are in District III. Davis went the Police Department listing pointing out many inaccuracies and concluding the records were at least 7 years old and outdated.

**Davis** said **Lt. Doyle** explained to the association that this was a routine evaluation of the ordinance. **Davis** said the WPD has never enforced the regulations and doesn't think his business should be treated as pawnshop. He takes exception to inspections and wants all salvage businesses in the city and county to be a level playing field. **Davis** said he would like a better product than this and wanted CM Lambke and DAB III to be aware of this activity.

**Foster** says they may need a committee/task force to review this issue. **CM Lambke** asked Davis if he or a representative would work with law dept to work out differences. CM Lambke said he would make the arrangements. **Ward** said Davis alluded to a critical issues that every time the city licenses an area they want to include the right to search the premises without consent.

## **Staff Presentation**

### **4. Community Police Report**

**Officer Virgil Miller Beat 26**, will miss next month's meeting, as he will be in training to become a Drug Recognition Expert. He reported he was recently assigned to the Critical Accident Team and is called in to evaluate accident drivers for drug or alcohol impairment.

He also reported the area is getting a park at Washington and Wassall. He also provided information on the recent homicide that occurred at apartments on Wassall, it was a result of domestic violence. Officers apprehended a burglar that was working in the area and he continues working on car issues. He invites e-mails about problems in the area. His address is [vmiller@wichita.gov](mailto:vmiller@wichita.gov).

**Officer Andres** said he covers **Beat 25** which runs from Pawnee/Kellogg is working nuisance problems, run of the mill stuff like trash, roosters etc.

## 5. Public Works

**Paul Gunzelman, Traffic Engineer with Public Works** presented a proposed solution to close westbound Morris off of Lincoln to prevent arterial traffic from taking a shortcut through the neighborhood to Hillside rather than continuing west on Lincoln. **Gunzelman** says he notified 300 households and received 20 responses 15 against and 5 for it. He is concerned that the barrier may increase response time and may increase left turns off of Vassar.

Clifton at Gilbert was closed in 1990 about 13 years ago. People noticed an increase in traffic through the neighborhood and that's why he's also proposing closing Gilbert at Yale. He said he also received some other proposals for resolution. Asking DAB to 1) Approve; 2) Approve with adjustments; or 3) Approve a different solution.

**Foley** asked if there was a lot of traffic why did people oppose it. Paul replied they didn't like the limited access to their neighborhood. **Lambke** asked who initiated this proposal. Paul responded it was a resident on Morris who also represents other neighbors. **Beth Shaw, 727 S. Rutan**, says they are 30-year residents of the neighborhood and her and her husband have observed the increased traffic and observed many business vehicles. Mrs. Shaw said she's outside waiting for her grandson's bus. While there she observes the traffic and sees many of them running the stop signs. She believes blocking Morris would reduce the traffic.

**Darla Ashley, 607 S. Yale** a 12-year resident of the neighborhood who also has noticed the traffic cutting through on Morris. Her concern is that with Morris cut off the traffic would increase on Yale and Gilbert and she believes the children will be at danger. **Mark Zacharias, 807 S. Clifton** says he's severely impacted as he lives right there. Mark said when the previous closure was implemented he had problems getting out of the neighborhood and returning home from work each night. He believes the traffic volume is less than in 1990, and he opposes the closure.

**Alta Montogne, 658 S. Clifton** lives near the proposed cut off and when the previous cut off was installed at the intersection it resulted in increased traffic on the narrow side streets. Alta says she opposes blocking Morris Street and believes diverted traffic would increase the use of side streets resulting in more wear and tear on the streets. **Barbara Surovik, 733 S. Vassar** says blocking Morris would increase traffic on surrounding side streets. **Karen Nuessen, 646 S. Clifton** says she uses that exit to take her children to school and for her to go to work. The closure would impact her. She points out there are only 3 houses on Morris and far more houses on the side streets that traffic would be diverted to. Another resident from **1101 S.**

**Clifton** says he went thru this problem and solution 13 years ago and he opposes the closure. **Lavita Phillips, 650 S. Clifton** says she opposes blocking Morris. She opposed it 13 years ago and fears it will increase traffic on side streets and fears for the children.

**Foley** asked if the Longview Neighborhood Association had a position and was told by the audience that they didn't. **Dillard** asked if Community Police had been involved in this issue of traffic. An audience member of Longview NA representative replied no and suggested they work on this. Audience members proposed other solutions such as extending the median on Hillside. **Gunzelman** replied he wasn't aware if the CIP included work planned for S. Hillside.

**Recommended Action: Bill (Ward) made the motion to table the issue until Longview NA meets and makes a recommendation. Motion voted on and it passed unanimously.**

#### **6. Housing Department**

**Mark Stanberry, Housing Services of Wichita** presented a request for a Resolution of Support in response to an Application for Low-Income Housing Tax Credits received from the Parklane Gardens Apartments. **Stanberry** explained that if the resolution of support was received from DAB III it would be passed along to the Council for their ultimate review and approval. He stated that the proposal was designed to increase the availability of affordable housing in Wichita and that 20% of the tenants would be paying market value rent amounts. He introduced Carolyn Emery, Vice President with Builders Inc. and said she would answer any questions DAB members may have.

**Bill Davis, 1818 S. Main** expressed concern about Low Income Housing gets torn up. **Stanberry** replied that according to the Federal Government, Builders Inc. would be responsible for upkeep and maintenance for the required 27 years. **Emery** said that in her long tenure with Builders Inc. she had never boarded up a unit.

**Gulick** questioned the use of tax credits saying it was his money being used. **Foley** asked about compliance and cited Builders Inc. past history with the ownership of apartment units to the north of Lincoln. **Emery** disputed Foley's claim saying Builders Inc. never owned property to the north of Lincoln. Property receiving tax credits is monitored by State of Kansas Dept of Commerce and Housing.

**Stanberry** explained the State of KS uses a competitive application process for the pot of money available as tax credits. The tax credit projects can be new construction projects but that results in higher rent amounts. **Emery** said she thought about 60 applicants would apply for the tax credit but only 25 will be awarded.

Reviewing the material handed out, **Hall** disputed the stated rent amounts as qualifying for low- income families. Carolyn explained the St of Kansas' designation for low income for a family of 4 was \$40,000 per year as defined by the IRS.

**Recommended Action: Dillard (Foster) move to approve application. Motion passed 5 to 2.**

## 7. Planning Department CUP2003-00019 DP-43

**Donna Goltry, MAPCC** presented a request to amend the Kincaid Community Unit Plan- the existing Wal-Mart at Pawnee and Broadway will be razed once a brand new Wal-Mart Super Center is constructed at the site. The plan is to update the CUP and make it more modern. The Super center will be built facing west on the eastside of property. The plan update will create 3 out parcels along Broadway and 2 out parcels along Pawnee near Taco Tico. This will intensify the use of the land, which is a desirable redevelopment and it benefits the neighborhood. Wal-Mart is interested in allowing a car wash as acceptable use for one of the out parcels.

**Ward** asked for clarification concerning the positioning of the proposed new store. **Foley** asked if the back of the store would abut St. Francis Street. **Goltry** said that plantings would be included and the backside would be screened and landscaped to make the back of the store look attractive.

**CM Lambke** asked about Wal-Mart truck traffic on St. Francis wondering if they would pull into lot and do the backing/ turning on Wal-Mart property? **Jason** said yes.

**Gulick** asked bout timing of the construction. Jason replied that it will begin this fall with store opening in May or June of 2004. He said that he thought truck traffic may encounter difficulties trying to turn off of Pawnee. **Jason Mohler** explained the location of the docks was such that all truck traffic backing etc. would occur on the Wal-Mart lot. **Joann Hartig, 1756 S. Main** asked about trash and security. **Mohler** said trash issues would be responsibility of the store manager for that location and he was unaware of any security issues out of ordinary.

**Recommended Action: Foley (Ward) moved to recommend approval of amendments to the CUP Plan subject to conditions. Motion passed 7-0.**

## 8. Environmental Health Department

**Jack Brown, Director of Environmental Health for the City of Wichita** presented information from Chapter 7 of the City Code, which has regulated the subject of water wells since the 1980's. Water well installers did not want any impediment to their business and as a result wells were inspected and certified after their installation. Unfortunately wells were installed with problems, wells were drilled into contaminated ground water etc. Environmental Health now wants to evaluate wells prior to being drilled rather than after. The permit would be issued prior to drilling the well drilling and it can be done rapidly.

**Gulick** reviewed section 7.30.040 of the proposed code change and asked about approving the process 5 days prior to the work. **Brown** said the permit would be good for 1 year. **Gulick** asked about the fees for water sampling and **Brown** replied the cost for bacterial test was \$25 and Real Estate transactions usually required this test. **Gulick** asked the charge for a lawn and garden well would it cost. **Brown** explained the inspection/permit fee would be \$25 but irrigation wells would not ordinarily be sampled for bacteria. **Ward** asked why the difference and **Rachelle** explained it was the difference of public water well vs. private well.

**Judy** questioned the terminology of section 1.30.20 which said “any person with knowledge or reason to know” **Brown** explained that refers to realtor of lending agency.

**Council Member Lambke** said he thought that some parts of the law were questionable; especially those that regulated pump rates. **Brown** says those were set by state and city law and addressed ground water pollution. **Hall** asked if wells could be drilled under houses **Brown** explained that the federal government regulated pesticides and water wells.

**Recommended Action: Dillard (Kemp) support concept of inspections but felt the ordinance needed additional work. Motion carried 7-0.**

#### **9. City Managers Office**

**Vicki Mork, Neighborhood Assistant** presented a request to the DAB for support of policy additions for Special Events. She explained that many requests are received and processed by the City each year. That improved coordination of the requests between city departments has improved the review process. Noise at some of the events has resulted in complaints especially when the events are in close proximity to residential areas. WPD lacks instruments to evaluate the sound or produce documentation for prosecution when the sound level exceeds City code.

**Ward** questioned why DAB is being asked to support the purchase of these sound meters. Discussion ensued concerning the designated sites listed for consideration with the DAB board unwilling to limit the public to those areas.

**Action taken: Ward (Gulick) moved that City purchase the meters but not designate event sites. Motion passed 7-0.**

Gulick moved for adjournment

### **Board Agenda**

#### **5. Updates, Issues and Reports**

**Foley** complained that residents at 4321 E. Bayley were working on cars at 11PM at night recently.

**Foster** mentioned a cell tower proposed for DAB II near Woodlawn and Kellogg. She also reminded everyone that a meeting to consider including a possible landfill as part of the trash plan for Wichita was to be held in the Hospitality Room of the Kansas Coliseum on May 19<sup>th</sup>. She urged everyone to attend because according to **Foster**, Sedgwick County Commissioner Carolyn McGwin says a privately owned landfill can accept trash form anywhere.

**Bill Davis** introduced himself as new President of South Central Progressive.

**Recommended Action: Address as appropriate, or receive and file.**

## **10. Next Meeting**

The next scheduled meeting for District Advisory Board III will be June 4, 2003 at Colvin Neighborhood City Hall at 7:00 p.m.

## **No Action Required**

## **Adjournment**

## **Motion made to adjourn by Foley (Kemp)**

Respectfully Submitted,

Vicki Mork, Neighborhood Assistant  
District III

## **Visitors**

Carole Cambell	2821 S. Mosley
Lisa Wold	2820 S. Mosley
Paul E. Davis	6417 S. Madison Ct.
Kelsey & Nadine Crowl	701 S. Clifton
Mark Stanberry	City of Wichita
Carolyn Emery	Builders Inc.
Jason Mohler	Spear & McCaleb Co.
Lonny Wright	2320 Alameda
W. L. Roeder	2563 S. Mead
Barbara Surovik	733 S. Vassar
Kathleen Dunlap	753 S. Vassar
William R. Davis	1818 S. Main
James D. Martin	721 S. Yale
Karen Nuessen	643 S. Clifton
Laveta Phillips	650 S. Clifton
Ralph J. Cook	1920 S. Lexington
Mark & Erika Zacharias	807 S. Clifton
DW Moore	3507 E. Gilbert
Elena Ingle	3608 Meadow Lane
Beth Shaw	727 S. Rutan
Robing Smith	653 S Holyoke
Alva Montoya	658 S. Clifton
Joann Hartig	1756 S. Main
Darla Atchley	607 S. Yale
Jim & Sarah Skelton	5903 E. Skinner
Micheal Brinchelb	4730 S. Ida